

could not have failed to be successful. You are charged with his life and honor, because I assured him that the law was a pledge for the security of both. I declared to him that I would stake my own life upon the safety of his; and I declare to you now that you have as much power to shed the blood of the advocate as to harm the client whom he defends.

If the mere naked fact of delivery constitute the crime of treason, why not hang the man who goes under a flag of truce to return or exchange prisoners? According to the doctrine of the chief justice, this man is equally guilty with him who stands at the bar, if you are forbidden to examine his mind, but are commanded by the law to look only to his acts. I ask you to consider this, in the spirit of Stone's case: that doctrine, I pledge myself, goes through every nerve and artery of the law.

If the doctrine of the chief justice be the law of the land, every man concerned in the deeds of blood that were acted during our recent war, was a murderer. Our gallant soldiers who met and repulsed the hostile step whenever it trod upon our shores: our gallant tars who unfurled our flag, and acquired for us a name and a rank upon the ocean, which will not soon be obliterated—these are all liable to be arraigned at this bar. These men have carried dismay and death into the ranks of the foe: blood calls for blood. You dare not inquire into the causes which produced the circumstances which attended the motives which prompted these deeds of carnage. The act, you are told by the chief justice, and such is the reasoning of the attorney, involves the intent!

Gentlemen! this desolating doctrine would sweep us from the face of the earth. Even when we deserved to be crowned with laurels, we should be stretched upon a gibbet. I tremble for my children, for my country, when I reflect upon the consequences of these detestable tenets, which reduces indiscretion and wickedness to the same level. Which of you is there that in some unguarded moment may not, with honest motives, be imprudent? Which of you can hope to pass through life without the imputation of crime, if your motives